IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ICONTROL NETWORKS, INC., a Delaware corporation,	)	
Plaintiff,	)	
v.	)	CASE NO.: 1:15-cv-01109-GMS
ZONOFF, INC., a Delaware corporation,	)	**JURY TRIAL DEMANDED**
Defendant.	)	

JOINT STATUS REPORT

Pursuant to Rule 16, F.R.C.P. 16, D. Del. LR 16.2, and the Court's June 22, 2016, Order regarding Case Management in Civil Cases (D.I. 16), the parties, by and through their undersigned counsel, jointly submit this Joint Status Report. The parties' proposed scheduling order is attached as Exhibit A to the concurrently filed Proposed Scheduling Order. Counsel for the parties participated in a telephone conference pursuant to the Order regarding Case Management and as required by Fed. R. Civ. P. 26(f) on June 30, 2016 and July 5, 2016 and thereafter by email. The following participated in the telephone conference:

- Ryan Smith participated on behalf of Plaintiff Icontrol Networks, Inc. ("Plaintiff" or "Icontrol").
- John Gorman participated on behalf of Defendant Zonoff, Inc. ("Zonoff").

1. Consolidation

The parties intend to seek consolidation of this case with the pending case *Icontrol Networks, Inc. v. Zonoff, Inc.*, Case No. 1:14-cv-01199-GMS ("the '1199 Case"). In light of the issues in each case, the parties believe that consolidation will realize significant efficiencies for both the parties and the Court. The parties have proposed a joint Proposed Scheduling Order, filed concurrently herewith, which assumes consolidation with the ’1199 Case. The parties intend to file a joint motion with the Court seeking consolidation.

2. Jurisdiction and Service

This is a patent infringement suit, arising under the Patent Laws of the United States, 35 U.S.C. §1 *et seq*. The Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a). Zonoff has been served and does not dispute personal jurisdiction.

3. Substance of the Action

Icontrol filed this action on November 30, 2015. Icontrol generally alleges that Zonoff makes, uses, sells, and/or offers to sell home security and/or home automation products that infringe U.S. Patent Nos. 7,633,385; 7,956,736; and 9,141,276. Icontrol alleges direct infringement, contributory infringement, and infringement by inducement. Icontrol further alleges that Zonoff’s infringement is willful.

On January 29, 2016, Zonoff moved to dismiss Icontrol’s claims for willful infringement, pre-suit damages, and to require a more definite statement of the Complaint identifying the specific claims of the three patents-in-suit that are alleged to be indirectly infringed by Zonoff (D.I. 8). On June 6, 2016, the Court denied Zonoff’s Motion (D.I. 14). On June 20, 2016, Zonoff filed an Answer to the Complaint (D.I. 15).

4. Identification of Issues

The parties anticipate that the usual topics encountered in patent infringement cases will be present here. In this case, such issues include invention, validity, infringement, damages, injunctive relief, and willful infringement.

5. Narrowing of Issues

The parties anticipate that discovery and claim construction may lead to narrowing of the issues in this dispute. In addition, consolidation of this case with the ’1199 Case may narrow the disputed issues between the parties.

6. Relief

Icontrol seeks damages against Zonoff in the form of lost profits and/or a reasonable royalty, together with pre-judgment and post-judgment interest. Icontrol also seeks injunctive relief against Zonoff. Icontrol currently is unable to determine the amount of damages until after obtaining discovery from Zonoff. Icontrol may also seek an award of its attorneys’ fees and costs, to the extent permitted under 35 U.S.C. § 285.

7. Amendment of Pleadings

The parties do not presently anticipate any amendments to the pleadings.

8. Joinder of Parties

The parties may seek to join additional parties in accordance with the Scheduling Order and Federal Rules of Civil Procedure by stipulation or by requesting leave of the Court.

9. Discovery

Discovery contemplated by each party: The parties anticipate discovery into the usual topics in patent infringement cases. In this case, this would include discovery into invention, validity, enforceability, infringement, damages, injunctive relief, and willful infringement.

Limitations on discovery: The parties agree that expert and inventor depositions shall not count against the number of depositions that a party may take pursuant to Rule 30 of Federal Rules of Civil Procedure. The parties also agree that, notwithstanding any consolidation and the interrogatories that have been propounded in the ‘1199 Case, the parties agree that each will be able to propound interrogatories pursuant to Fed. R. Civ. P. 33 (a)(1) and notice depositions pursuant to Fed. R. Civ. P. 30 that are directed to issues in the above-captioned case. Otherwise, the parties agree that the discovery limitations set forth in the Federal Rules of Civil Procedure are appropriate in these actions. The parties plan to include a stipulation regarding fact discovery limitations with their anticipated motion for consolidation.

Electronically Stored Information: The parties agree that the stipulation reached in the ’1199 Case regarding Electronically Stored Information (“ESI”) should also apply in this case.

Protective Order: The parties have met and conferred and agree that the protective order for the ’1199 Case should also apply to this case.

Proposed Schedule: The parties’ Proposed Scheduling Order (including table of proposed events) is filed concurrently herewith.

10. Estimated Trial Length

The parties estimate that this case will likely require an 8-10 day trial.

11. Jury Trial

Icontrol has demanded a trial by jury on all issues so triable.

12. Settlement

The parties have previously explored settlement in connection with the ’1199 Case. The parties do not object to referral to the Magistrate for mediation in this case.

13. Such Other Matters as Counsel Consider Conducive to the Just, Speedy and Inexpensive Determination of These Actions

Privilege Logs: The parties will provide privilege logs at a mutually agreeable time. The parties agree that there is no need to include communications with trial counsel on or after the beginning of the ’1199 Case in a privilege log.

Electronic Service of Documents: The parties agree that service of documents may be made electronically as long as service of any document to a party is made to all counsel of record for that party. Documents served both physically and electronically will be treated as if served electronically.

14. A Statement that Counsel for the Parties Have Conferred About Each of the Above Matters

Counsel has conferred about each of the above matters.

Dated: July 22, 2016

Respectfully submitted,

/s/ Richard K. Herrmann

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